

MINUTES
STATE BOARD OF EDUCATION
May 21, 2001

The Arizona State Board of Education held a regular meeting at the Education Building, Room 417, 1535 W. Jefferson, Phoenix, Arizona. The meeting began at approximately 9:00 a.m.

MEMBERS PRESENT

Todd Bankofier, President
Jaime A. Molera, Executive Officer
Catherine Kasper
Dr. Clare Lovett
Dr. Wade McLean
Nadine Mathis Basha
Evangelina Conkie Hoover

MEMBERS ABSENT

Frank Alvarez, Vice President
Mike File

CALL TO ORDER

ROLL CALL

BUSINESS REPORTS

President Bankofier reported.

PRESIDENT'S REPORT

Superintendent Molera reported.

SUPERINTENDENT'S REPORT

No report

BOARD MEMBER'S REPORT

PUBLIC COMMENTS

President Bankofier asked if there was anyone who wished to address the Board at this time and there was no response.

CONSENT ITEMS

Ms. Velasquez introduced the item. Dr. McLean made the motion that the Board approve the Consent Items as presented, with the exception of item G. Dr. Lovett seconded the motion. Motion carried 7-0 (Absent: Alvarez, File). Consent items were as follows:

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Consideration to Approve Contract
Abstracts

CONTRACT ABSTRACT

Consideration to Approve
Intergovernmental Agreements

INTERGOVERNMENTAL
AGREEMENTS

Consideration to Budget and
Accumulate in the Unrestricted Capital
Section for Red Mesa Unified School
District

RED MESA UNIFIED SCHOOL
DISTRICT

Consideration to Budget and
Accumulate in the Unrestricted Capital
Section for Pinon Unified School
District

PINON UNIFIED SCHOOL
DISTRICT

Consideration to Approve Eligible
Districts for Continuation in the Dropout
Prevention Program

DROPOUT PREVENTION
PROGRAM

Consideration to Open Rulemaking
Docket on Rules of Professional
Conduct, Pursuant to Senate Bill 1482

RULEMAKING DOCKET OPENING
SENATE BILL 1482

GENERAL SESSION

Ms. Velasquez introduced the item.
After discussion, Ms. Hoover made the
motion that the Board approve a request
from the State Board for Charter Schools
to withhold funds from ABC
Alternative/Central City Academy, Casa
Blanca Middle School, Classical Kids
Academy, Country Day Charter School
Desert Springs Academy, E.A.G.L.E.
Academy, East Valley Academy,
Laurent Clerc Elementary School, Life

STATE BOARD FOR CHARTER
SCHOOLS WITHHOLD MONEY
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Enrichment Community School,
Northern Arizona Academy for Career
Development, Paragon Management,
Pitman Resources/Baurau, Project YES
Middle School, Scottsdale Horizons
Charter School, Shadow Ridge, Tertulia,
Victory High School, and Wide Ruins
Community School. Dr. Lovett
seconded the motion. Motion carried
7-0 (Absent: Alvarez, File).

Ms. Barclay introduced the item. After
discussion, Ms. Hoover made the motion
that the Board approve the charter
amendments requested by Calli Ollin
Academy. Ms. Basha seconded the
motion. Motion carried 7-0 (Absent:
Alvarez, File).

CALLI OLLIN ACADEMY
MOTION

Ms. Barclay introduced the item. After
discussion, Superintendent Molera made
the motion that the Board approve the
charter amendments requested by
Cambridge Academy. Ms. Basha
seconded the motion. Motion carried
7-0 (Absent: Alvarez, File).

CAMBRIDGE ACADEMY
MOTION

Ms. Barclay introduced the item. After
discussion, Dr. Lovett made the motion
that the Board approve the charter
amendments requested by EDU-Prize
Charter School. Superintendent Molera
seconded the motion. Motion carried
7-0 (Absent: Alvarez, File).

EDU-PRIZE CHARTER SCHOOL
MOTION

Ms. Barclay introduced the item. After
discussion, Dr. Lovett made the motion
that the Board approve the charter
amendments requested by Foothills
Academy. Ms. Hoover seconded the

FOOTHILLS ACADEMY
MOTION

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motion. Motion carried 7-0 (Absent: Alvarez, File).

Ms. Barclay introduced the item. Mr. Kline addressed the Board. After discussion, Ms. Basha made the motion that the Board approve the charter amendments requested by Kachina Country Day. Superintendent Molera seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

KACHINA COUNTRY DAY

MOTION

Ms. Barclay introduced the item. After discussion, Dr. Lovett made the motion that the Board approve the charter amendments requested by Mission Montessori. Ms. Basha seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

MISSION MONTESSORI
MOTION

Ms. Barclay introduced the item. Ms. Fauset addressed the Board. After discussion, Superintendent Molera made the motion that the Board approve the charter amendments requested by Mountain School. Ms. Hoover seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

MOUNTAIN SCHOOL

MOTION

Ms. Barclay introduced the item. Mr. Beatty addressed the Board. After discussion, Superintendent Molera made the motion that the Board approve the charter amendments requested by New Visions Academy. Ms. Basha seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

NEW VISIONS ACADEMY

MOTION

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Ms. Barclay introduced the item. After discussion, Dr. Lovett made the motion that the Board approve the charter amendments requested by Precision Academy. Ms. Basha seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

PRECISION ACADEMY
MOTION

Ms. Barclay introduced the item. After discussion, Dr. Lovett made the motion that the Board deny the Charter School application for Kingman School and SAADEK Public School. Dr. McLean seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

KINGMAN SCHOOL AND
SAADEK PUBLIC SCHOOL
MOTION

Ms. Barclay introduced the item. Ms. Gaunt addressed the Board. After discussion, Dr. Lovett made the motion that the Board approve the Charter School application for Dove Academy. Superintendent Molera seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

DOVE ACADEMY
MOTION

Ms. Barclay introduced the item. Mr. French addressed the Board. After discussion, Ms. Hoover made the motion that the Board approve the Charter School application for New Century Academy. Dr. McLean seconded the motion. Motion carried 6-0 (Absent: Alvarez, File, Molera).

NEW CENTURY ACADEMY
MOTION

Ms. Barclay introduced the item. Mr. Foster addressed the Board. After discussion, Ms. Basha made the motion that the Board approve the Charter

NORTHWEST CHARTER SCHOOL
MOTION

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School application for Northwest Charter School. Ms. Hoover seconded the motion. Motion carried 6-0 (Absent: Alvarez, File, Molera).

Ms. Barclay introduced the item. Ms. Macias addressed the Board. After discussion, Dr. Lovett made the motion that the Board approve the issuance of charter to Los Milagros Middle/High School. Ms. Hoover seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

LOS MILAGROS MIDDLE/HIGH
SCHOOL
MOTION

Ms. Barclay introduced the item. Ms. Shay addressed the Board. After discussion, Ms. Hoover made the motion that the Board approve the issuance of a charter to Visions Unlimited. Dr. Lovett seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

VISIONS UNLIMITED

MOTION

Mr. Palmer introduced the item. After discussion Dr. McLean made the motion that the Board strike the current application cut-off date of July 31, 2001 for those taking administrator test under current minimum participation requirements with the expectation of establishing a new date and valid period for use of test results once passing scores have been set. Ms. Hoover seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

ADMINISTRATOR ASSESSMENT
MOTION

Dr. Wiley introduced the item. Dr. Johnson addressed the Board. Dr. Lovett made the motion that the Board grant conditional two-year approval to the Rio Salado College Teacher

RIO SALADO TEACHER
PREPARATION PROGRAM
MOTION

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Preparation Program. Ms. Hoover seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

Mr. Emanuel introduced the item. Ms. Hoover made the motion that the Board accept the voluntary surrender of the teaching credentials held by John Acosta Jr. and all states and territories be so notified. Dr. McLean seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

Mr. Emanuel introduced the item. Mr. Holder addressed the Board representing Mr. Eggleston. After discussion, Dr. McLean made the motion that the Board accept the voluntary surrender of the teaching credentials held by David Eggleston and all states and territories be so notified. Superintendent Molera seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

Mr. Emanuel introduced the item. Dr. McLean made the motion that the Board accept the negotiated settlement agreement and place a professional letter of censure in Corbin Heins' certification file. Dr. Lovett seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

Mr. Emanuel introduced the item. Dr. McLean made the motion that the Board accept the negotiated settlement agreement and place a professional letter of censure in Brenda Detweiler's certification file. Dr. Lovett seconded

CERTIFICATION CASE NO. C-00-30,
JOHN ACOSTA JR.
MOTION

CERTIFICATION CASE NO. C-98-26,
DAVID EGGLESTON
MOTION

CERTIFICATION CASE NO. C-00-14,
CORBIN HEINS
MOTION

CERTIFICATION CASE NO. C-00-33,
BRENDA DETWEILER
MOTION

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the motion. Motion carried 7-0 (Absent: Alvarez, File).

Mr. Emanuel introduced the item. Mr. Holder addressed the Board representing Jeffery Martin. After discussion, Dr. McLean made the motion that the Board accept the negotiated settlement agreement and place a professional letter of censure in Jeffery Martin's certification file. Dr. Lovett seconded the motion. Motion carried 7-0 (Absent: Alvarez, File).

CERTIFICATION CASE NO. C-99-61,
JEFFERY MARTIN

MOTION

Mr. Emanuel introduced the item. After discussion, Dr. McLean made the motion that the Board accept the negotiated settlement agreement and place a professional letter of censure in Pamela Clark's certification file. Ms. Hoover seconded the motion. Motion carried 6-1 (No: Basha; Absent: Alvarez, File).

CERTIFICATION CASE NO. C-97-55,
PAMELA CLARK
MOTION

President Bankofier introduced the item. The following individuals addressed the Board regarding Arizona's Instrument to Measure Standards (AIMS) issues: Leslie Rogers, Rachel Citron, Sarah Norell, Alex Proran, Ben Toff, Pankaj Raval, Patricia Shannon, Bonnie Sweet, and Shelley Joy Tellez. Kelley Powell addressed the Board with updates. No action was taken on this item.

ARIZONA'S INSTRUMENT TO
MEASURE STANDARDS (AIMS)

Dr. Lovett made the motion that the Board go into executive session for legal advice. Dr. McLean seconded the

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motion. Motion carried 7-0 (Absent: Alvarez, File).

EXECUTIVE SESSION

Dr. McLean made the motion that the Board return to general session. Ms. Hoover seconded the motion. Motion carried 6-0 (Alvarez, File, Bankofier).

MOTION

HEARING

Dr. Lovett introduced the item stating this was the time for the hearing related to Dennis Maes' teaching certificate. After the introduction, the Department of Education, represented by the Assistant Attorney General Elliott Talenfeld, made an opening statement. Dennis Maes, represented by legal counsel Bill Holder then gave his opening statement. Dr. Lovett allowed both sides to proceed with presentation of evidence, questioning witnesses and closing remarks. After closing remarks, the Board deliberated on the evidence that was presented. Dr. McLean made the motion that the Board reverse the prior decision of the Board and approve the renewal of an Elementary Certificate for Dennis Maes. Ms. Hoover seconded the motion. Motion carried 5-0 (Absent: Alvarez, File, Bankofier, Molera). Dr. McLean then made the motion that the Board approve issuance of a Guidance Counselor Certificate to Dennis Maes. Ms. Hoover seconded the motion.

CERTIFICATION CASE NO. 00-05-17,
DENNIS MAES

MOTION

MOTION

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Motion carried 5-0 (Absent: Alvarez, File, Bankofier, Molera).

Ms. Velasquez introduced the item stating that this was the time scheduled for the public hearing regarding R7-2-305 and R7-2-306. Ken Karouzos and Barbara Robey addressed the Board. After discussion, Ms. Hoover made the motion that the Board close the record on R7-2-305. Superintendent Molera seconded the motion. Motion carried 6-0 (Absent: Alvarez, File, Bankofier). Ms. Hoover made the motion that the Board close the record on R7-2-306. Ms. Kasper seconded the motion. Motion carried 6-0 (Absent: Alvarez, File, Bankofier).

R7-2-305 AND R7-2-306

MOTION

MOTION

GENERAL SESSION

Ms. Velasquez introduced the item. After discussion, Superintendent Molera made the motion that the Board adopt the proposed new rule R7-2-305. Ms. Basha seconded the motion. Motion carried 6-0 (Absent: Alvarez, File, Bankofier). Ms. Basha made the motion that the Board approve a notice of rulemaking termination on R7-2-306. Ms. Kasper seconded the motion. Motion carried 6-0 (Absent: Alvarez, File, Bankofier).

ADOPT R7-2-305 AND
TERMINATION OF RULEMAKING
R7-2-306
MOTION

MOTION

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MINUTES

Ms. Velasquez introduced the item.
Superintendent Molera made the motion
to approve the April 23, 2001 minutes.
Ms. Basha seconded the motion. Motion
carried 6-0 (Absent: Alvarez, File,
Bankofier).

MOTION

ADJOURNMENT

Dr. Lovett adjourned the meeting at
approximately 2:15 p.m.

Approved by the State Board of Education on

Todd Bankofier, President

Jaime A. Molera, Executive Officer